

APPENDIX A

CORRESPONDENCE WITH REGIONAL BOARD STAFF AND COUNSEL SINCE THE FEBRUARY 11, 2009 SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD MEETING

**Comments Submitted by Latham & Watkins LLP, April 1, 2009 –
April 8, 2009 San Diego Regional Board Meeting, Item 13 - Poseidon
Resources Corporation, Proposed Carlsbad Desalination Project
(Order No. R9-2006-0065, NPDES No. CA0109223)**

Volume 1

Tab No.	Date	Description
1.	2/18/09	Email from Philip Wyels to Amanda Halter re Poseidon: response to Regional Board request 3 and staff's emailed questions
2.	2/25/09	Email from Catherine Hagan to Amanda Halter, Christopher Garrett and Peter MacLaggan re Follow-up to February 25, 2009 Conference Call, with attachment <ul style="list-style-type: none">• Regional Board Follow-up to February 25, 2009 Conference Call summary
3.	2/26/09	Email from Amanda Halter to Philip Wyels, Deborah Woodward and Catherine Hagan re Poseidon: Prorated Calculations, with attachments <ul style="list-style-type: none">• 2/26/09 Letter response to Dr. Woodward• Impingement data
4.	2/26/09	Email from Amanda Halter to Philip Wyels and Catherine Hagan re Poseidon: other agencies' requirements for CDP, with attachments <ul style="list-style-type: none">• City of Carlsbad Development Agreement• City of Carlsbad redevelopment Agreement• City of Carlsbad Mitigation Monitoring and Reporting Program• City of Carlsbad Precise Development Plan• State Lands Commission Lease Amendment• Coastal Commission Findings
5.	2/27/09	Email from Amanda Halter to Philip Wyels, Deborah Woodward and Catherine Hagan re Poseidon: Revised Charts w/Prorated Calculations, with attachments <ul style="list-style-type: none">• 2/27/09 Letter to Dr. Woodward• Prorated Impingement Numbers
6.	2/27/09	Email from Catherine Hagan to Amanda Halter, Deborah Woodward and Philip Wyels re Poseidon: Revised Charts w/Prorated Calculations, with attachment <ul style="list-style-type: none">• 2/27/09 Letter from C. Hagan to A. Halter

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7.	3/2/09	Email from Amanda Halter to Philip Wyels, Catherine Hagan, Deborah Woodward and Chiara Clemente re Poseidon: Minimization Plan Submittal, with attachments <ul style="list-style-type: none"> • Poseidon CDP March 2, 2009 Revised FEIMP • Poseidon CDP March 2, 2009 Revised FEIMP Attachments
8.	3/2/09	Email from Amanda Halter to Philip Wyels, Catherine Hagan, Deborah Woodward and Chiara Clemente re Revised: Poseidon: Minimization Plan Submittal, with attachment <ul style="list-style-type: none"> • Poseidon CDP March 2, 2009 Revised FEIMP
9.	3/3/09	Email from Amanda Halter to Philip Wyels and Catherine Hagan re Poseidon: Proposed Notices, with attachments <ul style="list-style-type: none"> • Agenda Notice • Public Hearing Notice
10.	3/3/09	Email from Amanda Halter to Philip Wyels and Catherine Hagan re Poseidon: Proposed NPDES Permit Revisions, with attachments <ul style="list-style-type: none"> • Proposed Revisions to Incorporate Min Plan • Redline
11.	3/3/09	Email from Amanda Halter to Philip Wyels and Catherine Hagan re Poseidon: draft administrative record index, with attachment <ul style="list-style-type: none"> • Draft administrative record index

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Tab No.	Date	Description
12.	3/4/09	Email from Amanda Halter to Catherine Hagan and Philip Wyels re Poseidon: draft administrative record index
13.	3/5/09	Email from Amanda Halter to Deborah Woodward and Chiara Clemente re Poseidon: 2004-2005 EPS Flow data, with attachments <ul style="list-style-type: none"> • 2004-2005 EPS flow data in Excel • 2004-2005 EPS flow data in Word
14.	3/5/09	Email from Amanda Halter to Deborah Woodward and Chiara Clemente re Poseidon: Preliminary Draft Supplemental Impingement Statement, with attachment <ul style="list-style-type: none"> • Preliminary Draft Supplemental Impingement Statement
15.	3/5/09	Email from Catherine Hagan to Amanda Halter, Christopher Garrett, Paul Singarella and Peter MacLaggan re Revisions to Chapter 6, with attachment <ul style="list-style-type: none"> • Poseidon edits to chapter 6

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16.	3/7/09	Email from Amanda Halter to Catherine Hagan, Chiara Clemente and Deborah Woodward re Poseidon: Preliminary Draft Supplemental Impingement Statement, with attachment <ul style="list-style-type: none"> • Preliminary Draft Revised Supplemental Nordby Statement
17.	3/7/09	Email from Catherine Hagan to Amanda Halter, Chiara Clemente and Deborah Woodward re Poseidon: Preliminary Draft Supplemental Impingement Statement
18.	3/7/09	Email from Amanda Halter to Catherine Hagan re Revisions to Chapter 6
19.	3/7/09	Email from Amanda Halter to Philip Wyels and Catherine George re Revisions to Chapter 6
20.	3/7/09	Email from Philip Wyels to Amanda Halter and Catherine Hagan re Revisions to Chapter 6
21.	3/7/09	Email from Philip Wyels to Amanda Halter and Catherine Hagan re Revisions to Chapter 6
22.	3/8/09	Email from Catherine Hagan to Amanda Halter, Christopher Garrett, Paul Singarella and Peter MacLaggan re Comments on Poseidon Supplemental Statement of March 5
23.	3/9/09	Email from Amanda Halter to Catherine Hagan re Timing of Poseidon's submittal today, with attachments <ul style="list-style-type: none"> • Nordby Mitigation Acreage Computation • Minimization Plan Chapter 6
24.	3/13/09	Email from Amanda Halter to Catherine Hagan and Deborah Woodward re Poseidon: response to Table 5-2 calculation request
25.	3/13/09	Email from Catherine Hagan to Amanda Halter, Christopher Garrett and Paul Singarella re Follow-up to March 9 Minimization Plan
26.	3/13/09	Email from Catherine Hagan to Amanda Halter, Christopher Garrett and Paul Singarella re Follow-up to March 9 Minimization Plan
27.	3/17/09	Email from Catherine Hagan to Amanda Halter and Christopher Garrett re Supplemental Submittals
28.	3/17/09	Email from Deborah Woodward to Pete Raimondi re Poseidon project: Proposed Scope of Work
29.	3/17/09	Email from Amanda Halter to Catherine Hagan re Raimondi Scope of Work
30.	3/18/09	Email from Pete Raimondi to Catherine Hagan, Amanda Halter, Christopher Garrett, Peter MacLaggan, Chiara Clemente and Deborah Woodward re Poseidon project: Proposed Scope of Work

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31.	3/18/09	Email from Catherine Hagan to Pete Raimondi, Amanda Halter, Christopher Garrett, Peter MacLaggan, Chiara Clemente and Deborah Woodward re Poseidon project: Proposed Scope of Work
32.	3/18/09	Email from Amanda Halter to Pete Raimondi, Catherine Hagan, Christopher Garrett, Peter MacLaggan, Chiara Clemente and Deborah Woodward re Poseidon: Revised Nordby Statement, with attachment <ul style="list-style-type: none"> • Attachment 7 – Nordby Statement
33.	3/19/09	Email from Amanda Halter to Deborah Woodward and David Meyer re Follow-up to March 9 Minimization Plan
34.	3/19/09	Email from Amanda Halter to Deborah Woodward re Follow-up to March 9 Minimization Plan
35.	3/19/09	Email from Deborah Woodward to Amanda Halter re Follow-up to March 9 Minimization Plan (weights)
36.	3/19/09	Email from Deborah Woodward to David Meyer re Follow-up to March 9 Minimization Plan, with attached emails <ul style="list-style-type: none"> • Follow-up to March 9 Minimization Plan • Poseidon: response to Table 5-2 calculation request • RE: Follow-up to March 9 Minimization Plan
37.	3/19/09	Email from Catherine Hagan to Amanda Halter and Philip Wyels re Revisions to Chapter 6
38.	3/20/09	Email from Catherine Hagan to Amanda Halter, Christopher Garrett and Philip Wyels re Revisions to Chapter 6
39.	3/20/09	Email from Catherine Hagan to Pete Raimondi, Amanda Halter, Chiara Clemente and Deborah Woodward re Poseidon: Revised Nordby Statement, with attachments <ul style="list-style-type: none"> • Copy of Daily Flow Survey • EPS 2004-2005 Flow Data
40.	3/23/09	Email from Deborah Woodward to Amanda Halter, Christopher Garrett, Paul Singarella, Peter MacLaggan, Chiara Clemente and Catherine George re Poseidon project – Raimondi Initial Review, with attachment <ul style="list-style-type: none"> • Initial review of Impingement study and mitigation assessment
41.	3/24/09	Email from Catherine Hagan to Amanda Halter, Chiara Clemente and Deborah Woodward re Poseidon: 2004-2005 EPS Flow Data
42.	3/24/09	Email from Christopher Garrett to Catherine Hagan and Philip Wyels re Poseidon project – Raimondi Initial Review, with attachment <ul style="list-style-type: none"> • Initial review of Impingement study and mitigation assessment

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43.	3/24/09	Email from Catherine Hagan to Amanda Halter, Christopher Garrett, Chiara Clemente and Deborah Woodward re Poseidon: 2004-2005 EPS Flow Data
44.	3/25/09	Email from David Mayer to Catherine Hagan re [bat ray data question]
45.	3/25/09	Email from David Mayer to Catherine Hagan re Poseidon: 2004-2005 EPS Flow Data
46.	3/25/09	Email from Catherine Hagan to David Mayer re [wet or dry weights]
47.	3/25/09	Email from David Mayer to Catherine Hagan re [wet or dry weights]
48.	3/25/09	Email from David Mayer to Catherine Hagan re [references regarding wet weights]
49.	3/25/09	Email from Catherine Hagan to David Mayer re [references regarding wet weights]
50.	n/a	Tab intentionally left blank
51.	3/26/09	Email from Philip Wyels to Amanda Halter and Catherine Hagan re Poseidon: min Plan Redlines
52.	3/26/09	Email from Philip Wyels to Amanda Halter and Catherine Hagan re Poseidon: min Plan Redlines (resending)
53.	3/27/09	Email from Philip Wyels to Christopher Garrett and Catherine Hagan re Item deleted from Table [Table 4-2]
54.	3/27/09	Email from Catherine Hagan to Lauren Ross and Philip Wyels re Revised Poseidon Minimization Plan - Redlines
55.	3/27/09	Email from Catherine Hagan to Lauren Ross and Philip Wyels re Revised Poseidon Minimization Plan – Attachments 6 - 10
56.	3/27/09	Email from Catherine Hagan to Lauren Ross and Philip Wyels re Revised Poseidon Minimization Plan – Attachments 6 - 10
57.	3/27/09	Email from Christopher Garrett to Catherine Hagan, Lauren Ross and Philip Wyels re Revised Poseidon Minimization Plan – Attachments 6 - 10
58.	3/27/09	Email from Catherine Hagan to Lauren Ross and Philip Wyels re Revised Poseidon Minimization Plan – Attachments 6 - 10
59.	3/27/09	Email from Lauren Ross to Catherine Hagan and Philip Wyels re Poseidon Revised Minimization Plan – Draft of Attachment 10, with attachment <ul style="list-style-type: none"> • 3/27/09 Minimization Plan Attachment 10
60.	3/27/09	Email from Christopher Garrett to Catherine Hagan and Philip Wyels re Chp 6 language from Wyels

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61.	3/27/09	Email from Christopher Garrett to Catherine Hagan and Philip Wyels re Chp 6 language from Wyels
62.	3/27/09	Email from Christopher Garrett to Catherine Hagan and Philip Wyels re Response to "Double Counting"
63.	3/27/09	Email from Catherine Hagan to Christopher Garrett and Philip Wyels re Chp 6 language from Wyels